

**IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

IN RE: § **CASE NO. 09-80002-G3-13**
KIM ANN HORVATH §
DEBTOR §
§
§
§
§
(CHAPTER 13)

AFFIDAVIT OF MICHAEL SHARP

STATE OF TEXAS §
COUNTY OF GALVESTON §

"My name is Michael Sharp. I am licensed to practice law in the State of Texas. I am over the age of eighteen years of age. I am competent to make the statements herein and have personal knowledge of the facts stated herein.

"I am the attorney of record for Kim Ann Horvath, debtor in the above-captioned chapter 13 voluntary petition for bankruptcy. The case was filed on January 5, 2009 in the Southern District of Texas-Galveston Division under Case No. 09-80002.

"At the time of filing the bankruptcy case, Debtor Horvath owed the Small Business Administration ("SBA") monies that were received due to Hurricane Ike related damages. This debt was included in the debtor's schedules that were filed in the above-captioned case. The SBA file a secured proof of claim in this matter to which the Debtor objects to the secured classification.

"Debtor filed an Objection to the Proof of Claim of SBA (claim no. 12) on September 1, 2009 (docket #50)

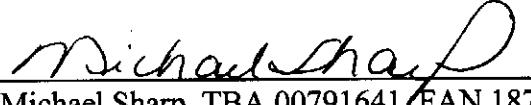
"On November 17, 2009, a true and correct copy of the Amended Objection to Proof of

Claim of SBA with scheduling order and notice of preliminary hearing was sent via certified mail, return receipt requested to all parties entitled to notice (docket #56). Return receipts (green cards) were received on each notice affirming receipt of the objection, scheduling order, and notice of reset status conference (attached as Exhibit "A").

"No appearance was made by the SBA at either of the status conferences conducted on November 10, 2009 and December 8, 2009.

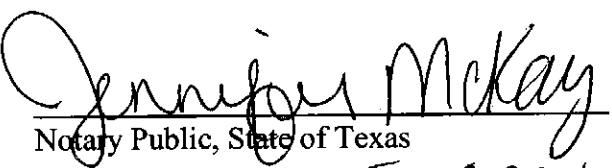
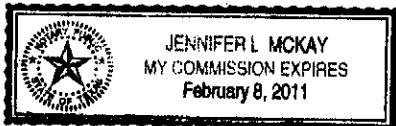
"To date, no response has been received or filed. The time for filing of a response has expired."

FURTHER AFFIANT SAYETH NOT.



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Attorney for Debtor

Subscribed and sworn to before me by Michael Sharp on the 16 day of February, 2010.



Notary Public, State of Texas

My commission expires: Feb 8, 2011